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Conceptual Foundations of the Reform of Local State Authorities in Uzbekistan

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Abstract:

This article provides information about the activities of local state authorities as a state management body. Legislative documents on local state authorities and changes made to them will be legally reflect in the constitution after the referendum. Local state authorities implement the laws of the Republic of Uzbekistan, presidential decrees, decisions of higher state authorities, direct the activities of lower councils of people's deputies, and participate in the discussion of issues related to the republic and local authorities. The new image of local state authorities is to reflect in articles 99-101 of our future constitution. The new amendments to the Constitution are reflected in Articles 13 and 32.

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INTRODUCTION. Local state authorities are state administration agencies in these places. Its task is to harmonize the interests of the whole state with the interests of citizens living in this area, to ensure the implementation of the decisions of higher state bodies as a structural link of the unified state authorities. After gaining independence, Uzbekistan, relying on long historical experience and national traditions, studied the positive aspects of the experience of advanced countries, fundamentally reformed its state agencies, created a system of local state authorities. A number of laws and official documents are adopted in the field of formation of the local government system. Among them are the Constitution of the Republic of Uzbekistan (December 8, 1992), the Law "On Local State Power" (September 2, 1993), the Law "On Elections of People's Deputies to Regional, District, and City Councils" (1994, May 5) etc. occupy an important place. Chapter 20 of the Constitution of the Republic of Uzbekistan reflects the constitutional legal basis of the activities of local state authorities (Articles 99-104). In these articles, the system, position, duties, and structure of local government bodies are determined at the constitutional level. The constitution strengthened the 2-tier system of local representative bodies (i.e. district, city councils of people's deputies - the lower tier, regional and Tashkent city councils of people's deputies - the upper tier), and this was reflected in the law on local

state power. Local government bodies: ensure legitimacy, legal order, and citizen safety. Economic, social and cultural development of the regions, as well as formulates and implements the local budget. Establishes local taxes, levies, creates extra-budgetary funds, manages local utilities, protects the environment, ensures registration of acts of civil status, adopts regulatory documents, as well as other powers that do not conflict with the Constitution and laws of the Republic of Uzbekistan. Local state authorities implement laws of the Republic of Uzbekistan, presidential decrees, decisions of higher state authorities. In addition, he directs the activities of the lower councils of people's deputies, participates in the discussion of issues related to the republic and local authorities. Local state authorities are divided into 2: local representative bodies and local executive bodies.

The term concept refers to an image that forms a general set of simple ideas or general concepts that arise in the mind, speech or thought. It is understood as the basic building blocks of the concept of principles, thoughts and beliefs. Therefore, in this article, we consider and analyze the conceptual foundations of the reform of local state authorities in Uzbekistan. It is known that the organizational and legal foundations of public participation in the development of state and regional programs, as well as ensuring the openness of the activities of state authorities and management bodies, adopted at the center and in local areas, have been formed. The principle of accountability of the executive power to the representative bodies is enshrined in the Constitution and laws. However, cases where some representatives of the local executive body go beyond their legal powers remain one of the most common cases. While we are talking about this issue, the head of our state Shavkat Mirziyoyev, before the start of constitutional reforms, on June 18, 2021, in a meeting with the activists of Andijan region, touched upon the election of governors in the future and said: "We gave great powers to deputies and district councils. We will move to such a system that not every head of the council will be a governor. The deputy elected to the Council will be its leader. The regional governor will not be the head of the regional council. The head of the executive body will be the one reporting to the district and city councils. The head of state noted that there are representatives of ministries and republican agencies in every region, district and city, but they have not yet learned to report to the lower level. "This is the biggest shortcoming of our executive body. Representatives of these bodies are working as best they can, relying on the higher organization. This time is over," he said. The new image of local government bodies will be reflected in articles 99-101 of our future constitution. It is in article 99 that implementation and representation in regions, districts and cities (except cities subordinate to the district) will be revealed. In addition, the single body headed by the governor of the region will be officially divided into two bodies of government, the Councils of People's Deputies, i.e., the representative bodies of the government and the executive power of the region headed by the governor of the relevant region, district and city. From now on, the Council of People's Deputies will be appointed from among its deputies. According to Article 100 of our constitution, which describes the powers of the Councils of People's Deputies, the representative body has the power to review and adopt programs for the development of the territory, the master plan of the intended district, the city and the rules for its construction, and the relevant local budgets. , such important and strategic issues as approving the reports on the implementation of these budgets, setting the local tax rates and other mandatory payments within the limits set by the legislation. At the same time, it is necessary to ensure the effective operation of health care, education, and public transport systems, to implement measures aimed at ensuring the economic, social and cultural development of the regions, to protect the economic, social and other rights and legal interests of citizens. To protect, to implement measures to ensure their safety and public order, the governors are responsible for ensuring territorial development.

The above-mentioned information shows that a new stage of reforms in the field of distribution of powers of representative and executive bodies is beginning in our country, as well as in other areas, and practical actions are being taken in this regard. The proposals presented in the project serve to improve the work efficiency of these two authorities. We know that we are currently on the verge of holding a referendum on April 30 to amend our constitution. According to it: Article 13 is expected to be expanded and the following provisions will be added to it: All contradictions and injustices that cannot be eliminated in the interaction of a person with state bodies will be interpreted in favor of the person. In addition, Article 32 of the Constitution is also being amended, and this is considered a conceptual change related to neighborhood offices, and it will come into force upon approval in the referendum. It is as follows: "Citizens should independently and within the framework of the law solve issues of local importance based on their interests, specific historical features of development, as well as national and spiritual values, local customs and traditions. The right to decide and the ability to implement it are recognized as self-government of citizens". Therefore, according to him, the conceptual reforms in the local state authorities in Uzbekistan are firmly defined within the framework of the law. For example, there is a program of the President of the Republic of Uzbekistan on measures to introduce the electronic system of "e-decision" into the activities of local state authorities. This is the state program "About the state program on the implementation of the Strategy of Actions on the five priority directions of the development of the Republic of Uzbekistan in 2017-2021 in the Year of Youth Support and Public Health Promotion" 2021. The Cabinet of Ministers issued a decision to ensure the implementation of Decree No. PF-6155 dated February 3. According to it: 1. Resolution of the Cabinet of Ministers dated April 14, 2020 "On measures to introduce a unified electronic system of development, coordination and registration of decisions taken by local executive authorities" According to the decision № 218:

- a) In January - May 2021, a single electronic "E-decision" system for development, agreement and registration of decisions of local executive authorities in Kashkadarya region (hereinafter - "E-decision" electronic system) that a legal experiment was conducted in connection with approving;
- b) As a result of the experiment conducted in the Kashkadarya region on the implementation of the electronic system "E-decision", the terms of adoption (issuance) of decisions and orders of local state authorities will be reduced. Reduction of the human factor and interference in their development, as well as the creation of an opportunity for residents to be constantly familiar with decisions and orders, and for monitoring by regional justice bodies.
- c) Let it be accepted for information that starting from July 1, 2021, based on the results of the legal experiment, the electronic system "E-decision" will be introduced in all levels of local executive authorities of the republic.

2. From July 1, 2021: development, agreement, adoption (issuance), registration and announcement is carried out through the electronic system "E-decision";

It is not allowed to pass (issue) relevant decisions and orders of local state authorities bypassing the "E-decision" electronic system. Such documents do not have legal force and do not cause any legal consequences from the moment of their adoption;

Assessment of the regulatory impact of the decisions of local state authorities is carried out using the electronic system "E-decision".

3. Regulation on the procedure for developing, agreeing, accepting (issuing), registering and

publishing decisions and orders of local government bodies through the "E-decision" electronic system, which provides for the following, is attached to Appendix 1 confirm according to:

- a) the procedure for developing decisions and orders of local state authorities, including those intended for use within the service, through the electronic system "E-decision" and coordinating them with interested regional state bodies and organizations, other organizations;
- b) the procedure for receiving (issuing), registering and publishing the drafts of the draft decisions and orders of local government bodies developed and agreed upon in the prescribed manner through the "E-decision" electronic system;
- c) Implementation of the state accounting of normative legal documents adopted by local state authorities through the "E-decision" electronic system;
- d) Not to allow the adoption of decisions and orders of local state authorities, which include inform considered state secrets and confidential information in accordance with legal documents, through the "E-decision" electronic system;
- e) To prohibit the independent inclusion in this category of decisions and orders of local state authorities, which do not fall into the secret category, except for the cases provided for by legislative documents;
- f) By the Ministry of Justice of the Republic of Uzbekistan: to carry out constant monitoring of the processes of development, agreement, acceptance (issuance), registration and announcement of decisions and orders of local government bodies only through the electronic system "E-decision";

According to the results of monitoring, applying measures of influence against the leaders and responsible employees of the interested organizations who did not respond within the specified time to the decisions and orders of the local state authorities sent for agreement through the "E-decision" electronic system.

CONCLUSION.

In recent years, the organizational and legal foundations of public participation in the development of state and regional programs, as well as ensuring the openness of the activities of state authorities and management bodies, adopted at the center and locally, have been formed. The principle of accountability of the executive power to representative bodies has been strengthened in the Constitution and laws. The amendment to Article 32 of the Constitution is considered to be a conceptual change related to local authorities, according to which: The right to decide independently and within the law, based on spiritual values, local customs and traditions, and the ability to implement it is recognized as self-government of citizens. Also, in accordance with the decision of the Honorable President of the Cabinet of Ministers, measures were developed to introduce a unified electronic system for the development, coordination and registration of decisions taken by local executive authorities. This system has been tested in practice. So, it can be seen from the work carried out that the conceptual reforms of the local state authorities in Uzbekistan are firmly defined within the framework of the law.

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